

<b>Applicant</b>	Fifth Avenue Partners, Ltd.	
<b>Request</b>	Sign Approval (Downtown RAC), including 3 ground signs, 4 "secondary" signs, and 10 under canopy signs	
<b>Location</b>	401 E. Las Olas Blvd.	
<b>Legal Description</b>	Portions of First Federal of Broward Plat, P.B. 94-P.20, Revised and Additional Plat of Stranahan's Subdivision, P.B. 3, P. 187 (D), and M.A. Hortt's Subdivision, P.B. 2, P. 3.	
<b>Property Size</b>	119,073 sq. ft. (2.734 acres)	
<b>Zoning</b>	RAC-CC	
<b>Existing Land Use</b>	22 story office building with retail on ground floor	
<b>Future Land Use Designation</b>	Regional Activity Center ("RAC")	
<b>Comprehensive Plan Consistency</b>	Commercial (retail/office) use is permissible in the RAC and is consistent with the Land Use Element of the Comprehensive Plan	
<b>Other Required Approvals</b>	Final DRC approval	
<b>Applicable ULDR Sections</b>	47-22. 4.C.13. (Signs in the downtown RAC)) 47-22.4.A.2. and 3 (Number of signs allowed in multiple tenant office buildings with ground level stores)	
<b>Parking</b>	RAC-CC is parking exempt	
<b>Notification Requirements</b>	47-27.3 Posting of Agenda 47-27.4 Public Notice sign posting	
<b>Action Required</b>	Approve, approve with conditions, or deny.	
<b>Project Planner</b>  <b>Authorized By</b>  <b>Approved By</b>	<b>Name and Title</b>	<b>Initials</b>
	Michael B. Ciesielski	<b>MBC</b>
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning & Zoning Manager	

**Request:**

The applicant is requesting to obtain Planning and Zoning Board approval for three (3) ground signs, four (4) secondary (flat or wall) signs, and ten (10) under canopy signs.

All signage in the Downtown RAC must comply with the requirements listed in Section 47-22.4. C.13. This Section regulates the type, size, and location of signs. When any sign is proposed to be constructed or erected which does **not** comply in **all** respects with the requirements for signs in the downtown RAC districts, then such signs shall only be approved if it receives a site plan level III (Planning and Zoning Board) approval.

Sec. 47-22.4. A.2, regulates the maximum # of signs permitted for multiple tenant office buildings. Any building containing two (2) or more office tenants will be permitted one (1) building identification flat sign on each street frontage. The site currently has four (4) building identification signs (Bank of America) which are located immediately below the steeple. Each of the four signs face a building streetfront and, therefore, comply with this section of the Code. In addition, there are eleven (11) individual retail signs and two (2) under canopy signs.

The applicant requests the following three (3) types of signage:

**1) The applicant proposes to install three (3) ground signs, two (2) of which will have a directory.**

Pursuant to Section 47-22.4.A.2, a multiple tenant office building may have two (2) building identification ground signs when the building is located on three (3) or more street fronts. Ground signs may contain street number and name. A **wall directory sign** will be permitted at each building entrance provided that such sign directory sign shall not exceed a total of eight (8 s.f.) square feet in area.

Pursuant to Sec. 47-22.4.C.13.c., ground signs shall be limited to five (5') feet in height and thirty-two square feet (32 s.f.) in surface area and shall be set back five (5') feet from the property line and not within five (5') feet of the edge of a pavement or sidewalk.

The applicant's request to install two ground signs with directory (noted "S-4" and "W-4") do **not** comport with the current Code. First, ground signs may only contain street number and street name. Second, ground signs are not specifically allowed to have a directory. The only type of directory sign permissible is a **wall** directory sign. Third, the proposed ground signs with directory are seven feet four inches (7'4") in height, which exceed the maximum five (5') feet height requirement in the downtown RAC. Fourth, the proposed ground signs with directory are thirty-six and seven-tenths (36.7 s.f.) square feet in area, which exceed the thirty-two (32 s.f.) square feet in area as stipulated in the Code.

It appears from the site plan that the "W-4" ground sign is to be located on the steps. The applicant needs to clarify this in his presentation.

The applicant is also requesting approval for a single-faced ground sign ("S-5") proposed to be located at the southeast corner of the building facing E. Las Olas Blvd. Although the application package shows two (2) such type signs, the applicant, if approved, has agreed in writing to only install one of the signs. The applicant has requested this approval of a horizontal and vertical sign in order to maintain flexibility and determine, depending on the tenant name and logo, which sign of the two (2) signs will be installed.

**Neither** of these signs comport with the current Code. First, the current Code does not allow for more than two (2) ground signs and these signs are limited to building identification, street number, and street name. Second, the proposed ground signs are located within five (5') feet of a pavement or sidewalk.

**2) The applicant is requesting to install four (4) “secondary building signs”.**

The applicant has submitted eight (8) possible locations for these “secondary building signs” with the understanding that the P&Z Board will approve a maximum of four (4) secondary signs with no more than two (2) of these secondary building signs being approved for any one elevation.

The applicant refers to these signs as “secondary building signs” and has submitted photographs of signage previously approved by the P&Z Board (the Smith Barney Sign @ 350E. Las Olas Blvd. and the Merrill Lynch sign at 450 E. Las Olas Blvd.) as examples of “this type of sign”.

The “secondary building signs” referred to by the applicant meet the definition of a flat (or wall) sign.

Pursuant to Sec. 47-22.4.C.13.d.i, when such flat signs are located within sixty (60’) feet of ground level, then such sign shall be no larger than ten (10%) of the wall area upon which it is to be erected or one hundred twenty (120) square feet, whichever is less.

The elevation drawings show the proposed location and size (square footage) of these signs. The two secondary signs on the west elevation (“W-1” and “W-3”) are approximately thirty-two (32 s.f.) square feet in area and will be located within sixty (60’) feet of ground level. Two of the three secondary signs on the south elevation (“S-2” and “S-3”) are also approximately thirty-two (32 s.f.) square feet in area and will also be located within sixty (60’) of ground level. The third proposed sign on the south elevation (“S-1”) is one hundred and twenty (120 s.f.) square feet in area, which equals the maximum size permissible for a flat/wall sign in the downtown RAC.

Two of the three secondary signs on the east elevation (“E-1” and “E-2”) are approximately one-hundred and five (105 s.f.) square feet in area while the third sign (“E-3”) is approximately thirty-two (32 s.f.) square feet in area. All proposed secondary signs on the east elevation are within sixty (60’) feet of ground level.

Although the proposed “secondary building signs” comport with the requirements for flat/wall signs in the downtown RAC as per 47-22.4.C.13.d. 1, the maximum number of signs, as per Sec. 47-22.4A.2 will be exceeded (the current Code only permits one building identification sign facing each street frontage, which the applicant already has with the Bank Of America signs).

**3) The applicant is requesting to install ten (10) under canopy signs. All ten (10) canopy signs are proposed for the individual businesses located on the first floor along the west elevation of the building.**

Pursuant to Sec. 47-22.4.C.13.f., under canopy signs are permitted within the RAC districts along pedestrian priority designated streets only and shall be limited to one (1) sign per separate entranceway and shall not exceed eight (8 s.f.) square feet in total area.

The ten (10) under canopy signs ( “UC 1” through “UC 10”) are proposed to be located above each of the ten individual ground-level retail storefronts that face Las Olas Place (formerly known as SE 4<sup>th</sup> Avenue). The under canopy signs are proposed to be located nine (9’) feet above ground level. According to the general note on the under canopy sign plans, the same graphics fonts and logo indicated on the ground sign will be used on the under canopy sign at individual tenant locations. Samples of the two proposed colors of the signs (black and deep blue) have been affixed to the under canopy sign sheet included in the sign packet application. These sign colors will match the colors of the existing canopies along Las Olas Place. The signage study/grand total signage states that the total square footage of all ten (10) under canopy signs will be eighty (80 s.f.) square feet.

The proposed canopy signs do **not** comport with the current Code because the proposed signs face Las Olas Place, and Las Olas Place is **not** a pedestrian priority street.

**Parking and Traffic:**

Site plan approval was granted in 2000. The applicant had submitted a traffic study with that site plan. Since the proposal is in the RAC-CC zoning district, the site is parking exempt.

**Planning & Zoning Board Review Staff Determination:**

All signage in the Downtown RAC must comply with the requirements listed in Section 47-22.4. C.13. This Section regulates the type, size, and location of signs. When any sign is proposed to be constructed or erected which does **not** comply in **all** respects with the requirements for signs in the downtown RAC districts, then such signs shall only be approved if it receives a site plan level III (Planning and Zoning Board) approval.

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of a site plan level III permit.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

**Staff Determination:**

Should the Planning & Zoning Board approve the type, location, number, and size of the signs, staff recommends that the following conditions be placed on the approval;

1. That only one of the two proposed ground signs at the southeast corner of the site be permitted
2. That none of the under canopy signs exceeds a total of eight (8 s.f.) square feet, that the letters for each of the under canopy signs does not exceed twenty-four inches (24") in height, and that the color fabric to be used for each canopy sign match the color of the existing canopy.
3. That none of the four (4) "secondary building signs" (flat/wall signs) exceed one-hundred and twenty (120 s.f.) square feet in area.
4. That all existing window signs located on the ground floor retail establishments be removed pursuant to Sec. 47-22.4.C.13.a. (Window signs are prohibited in the downtown RAC)
5. That the specific location of ground sign "W-4" be identified. (According to the site plan, it appears as though this sign is proposed to be located on the steps).
6. Final DRC approval.